

**KENTUCKY LICENSING BOARD OF
HEARING INSTRUMENT SPECIALISTS**

BOARD MEETING MINUTES

November 30, 2006

A regular Board meeting of the Kentucky Licensing Board for Specialists in Hearing Instruments was held at the Division of Occupations and Professions in Frankfort, Kentucky on November 30, 2006.

BOARD MEMBERS PRESENT

Steve Clark
Lisa Brown
Wilma McMillian
Brian Schreiner
Mike Stone
Charles Robinette

OCCUPATIONS & PROFESSIONS STAFF

Carolyn Jones, Board Administrator
Wendy Satterly, Supervisor
Claude Wagner, Director

BOARD MEMBERS NOT PRESENT

Greg Osetinsky, M.D
Michael Hoagland
William "Jeff" Brown II

Mark Brengelman – Assistant Attorney General
Board Counsel

CALL TO ORDER

Mr. Clark called the meeting to order at 1:40 p.m.

APPROVAL OF MINUTES

Mr. Stone made a motion to approve the minutes from the October 23, 2006 Board meeting. The motion was seconded by Ms. Brown. The motion carried.

FINANCIAL STATEMENT

Mr. Schreiner made a motion to approve the financial statement dated October 31, 2006. The motion was seconded by Mr. Robinette. The motion carried.

DIRECTOR'S REPORT

Mr. Wagner told the Board that the letter sent to the Speech Language Pathology and Audiology, from the HIS Board, was very well written. He stated that the SLPA Board has put their plan to "absorb" the HIS Board on the backburner. Mr. Wagner brought an offer to the HIS Board from the SLPA Board that they would not continue to look into the possibility of absorbing the HIS Board if the Board would waive the need for audiologist to sit for the practicum exams. The HIS Board agreed to take this under advisement.

Mr. Wagner also requested the HIS Board to begin posting their minutes on the website. It was agreed to do so beginning with the October minutes that were approved today.

OLD BUSINESS

Mr. Stone had mentioned at an earlier meeting that he thought it would be beneficial to put some general licensing information into the HIS renewal applications. Mr. Clark asked Mr. Stone if he would draft a short informational insert. He agreed to do so and stated that he would get it to the Board Administrator by Monday, December 4, 2006 so the renewals could be mailed no later than Wednesday, December 6, 2006.

NEW BUSINESS

Mr. Clark discussed with the Board the fact that there have been several applications for apprentices come in recently where the sponsor listed was not in the same location the apprentice listed as their workplace. Mr. Clark advised Ms. Kyler to return all applications to the applicants when the information does not correspond and ask for clarification of locations.

There was discussion with regard to the number of days listed in different stages of the apprenticeship being calendar days, work days, etc. It was determined that KRS 334.090 (2) only states that the apprenticeship "shall be for twelve (12) months.

Mr. Clark brought forth for discussion that the law requires the Board to have an audiometer available for testing should a candidate not have access to one. Discussion revolved around the fact that a test candidate would be at a disadvantage if they had to use test equipment that they were not familiar with. However, should someone not have any other option than to use equipment provided by the Board that the law required an audiometer to be available. Mr. Clark said that he would ask Mr. Brown if he'd be willing to provide the equipment for tests in the future.

Ms. Brown had submitted a question to the Board with regard to an audiologist working at a non profit agency, such as her place of employment, is permitted to do without being in violation of our laws. It was determined that her agency was not considered to be "primarily supported by voluntary contributions" and therefore, did not fall into that category.

Mr. Stone presented the revised score sheets for the audiometry practical exams for Board review. He stated that these forms had not been updated in years and a few of the items being scored were not current requirements. Following Board review, Ms. Brown made the motion that the Board would begin using these forms effective December 1, 2006 when exams would be given. The motion was seconded by Mr. Schreiner. The motion carried.

Mr. Clark presented the November report from the Board Appointed Monitor, Michael Chambers, with regard to Dr. Delbert Ault. Additionally, Mr. Clark presented an invoice from Mr. Chambers for the visit. The Board approved payment of all subsequent invoices from Mr. Chambers' to be billed to Dr. Ault upon receipt. The report was presented to the Board members for review and discussion.

The following meeting and exam dates were set for 2007:

February 16, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
April 12, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
April 13, 2007	Exams 9:00 a.m.	
June 22, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
August 9, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
August 10, 2007	Exams 9:00 a.m.	
October 19, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
November 29, 2007	Complaint Committee 10:00 a.m.	Board Meeting 1:00 p.m.
November 30, 2007	Exams 9:00 a.m.	

HIS Board v. Arthur Azar, Agency Case No. 05-005, Administrative Action No. 06-KBHI-0169. Mr. Robinette motioned to go into closed session under KRS 616-810(1)(c) and (j) to discuss litigation and a pending adjudication on an individual licensee to discuss the Recommended Order and Exceptions. Mr. Schreiner seconded the motion. Mr. Brengelman, Mr. Stone and Mr. Clark left the room. Ms. Brown motioned that the Board accept the Recommended Order, with changes, as the Board's final offer and that the Board reject the remainder of the exceptions as not being supported by evidence in the record and four which the Board declines to make factual findings. Mr. Robinette seconded the motion. Mr. Clark and Mr. Stone recused from voting.

COMPLAINTS

Mr. Clark called the meeting of the complaints committee to order at 10:00 a.m. and went into closed session per KRS 61.810(1)(c) and (j). Mr. Brown was absent. Mr. Clark adjourned the meeting at 12:55 p.m.

Mr. Clark made a motion for the Board to accept the Complaint Committees report as follows:

04-007 – Continuing to make payments

05-005 – Received Recommended Order and Exceptions from Respondent for Board Consideration.

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the record and for which the Board declines to make factual findings. Mr. Robinette seconded the motion. Mr. Clark and Mr. Stone recused from voting.

05-006 – Board motioned Board Attorney to file appropriate documentation necessary to collect charges as agreed to in the Settlement Agreement

05-018 – Ongoing

06-003 – Ongoing

06-010 – Ongoing

06-012 – Hearing requested regarding preliminary denial of licensure

06-015 – Ongoing

06-016 – Ongoing

06-018 – Reopened

06-019 – Ongoing

06-020 – Ongoing

06-023 – Ongoing

06-024 – Dismissed for insufficient evidence

06-025 – Dismissed for insufficient evidence

06-026 – Ongoing

06-027 – Ongoing

06-028 – Ongoing

The motion was seconded by Mr. Robinette. Motion carried.

APPLICATION REVIEW

The Board **approved** the following applicant(s) for **apprentice licenses**:

Brian Beams – Greta Ratliff sponsor

Ashley Carter – Greta Ratliff sponsor

Janet Barnhouse – Tonya Barlow sponsor

The Board **denied** the following applicant(s) for **apprentice licenses**:

David Junkins

Donald Baker

Melanie Richart

The Board approved **Timothy Haire** to sit for the licensure exam on April 13, 2007.

CONTINUING EDUCATION

There were not applications for continuing education submitted.

APPROVAL OF TRAVEL & PER DIEM

Mr. Robinette made a motion to approve the travel and per diem. The motion was seconded by Ms. McMillian. The motion carried.

NEXT MEETING

The next meeting is scheduled for February 16, 2007. The Complaint Committee will meet at 10:00 a.m. with the regular meeting of the Board beginning at 1:00 p.m.

ADJOURNMENT

Mr. Stone made a motion to adjourn at 6:30 p.m. The motion was seconded by Ms. McMillian. The motion carried.